

MAINE STATE LEGISLATURE

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STATE OF MAINE

R E P O R T

OF THE

ATTORNEY GENERAL

for the calendar years

1949 - 1950

Therefore it has been the intent of the legislature for the past few years to get all Judges, Recorders and Clerks off the fee system; and where a salary is provided by the legislature, with traveling expenses, and the salary is paid by the county, it is my opinion that all fees paid to the Judges and Recorders of the Municipal Court should be paid in to the county.

RALPH W. FARRIS
Attorney General

December 20, 1949

To Lester E. Brown, Chief Warden, Inland Fisheries and Game
Re: Powers of Wardens to Arrest and Prosecute

Answering your memo of December 8th, I will say that under Section 111 any officer authorized to enforce the Inland Fish and Game Laws may without process arrest any violators of said laws, etc., and jurisdiction is hereby granted to all municipal courts in adjoining counties, to be exercised in the same manner as if the offense had been committed in that county.

Section 18 provides that the wardens shall have the authority to serve criminal processes on offenders of the law and to arrest and prosecute camp trespassers or persons committing larceny from any cottage, camp or other building, etc., and they may serve all processes pertaining to the enforcement of any provisions of this Chapter.

It is my opinion that Section 111 and Section 18 should be read together, as Section 111 of Chapter 33 uses the language "to enforce the inland fish and game laws," and Section 18 uses the language, "They may serve all processes pertaining to the enforcement of any provision of this chapter."

RALPH W. FARRIS
Attorney General

December 21, 1949

To Ermo Houston Scott, Deputy Commissioner of Education
Re: Legality of withholding credentials, Normal School, for nonpayment of fees

I have your memo of December 21st, in which you ask me to give you a written opinion on the legal aspects of the following policy:

"No official credentials shall be issued by a Maine state normal school or teachers college in favor of any student or former student, unless that student has met all institutional financial obligations, or has made arrangements satisfactory to the related institutional administration for the eventual payment of such amounts as are receivable."

It is my opinion that the teachers' colleges in Maine and the Board of Education have statutory powers and duties to make rules and regulations relating to normal schools and teachers' colleges, including a rule to the effect that if students do not meet their financial obligations said schools and colleges are legally entitled to withhold their credentials until all financial obligations have been met or proper arrangements for their settlement have been made.